

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SUSAN A. BENNETT

Plaintiff,

v.

BEGGS AND LANE, LLP, and  
THOMAS F. GONZALEZ, ESQ.

Defendants.

2:11cv1222

Electronic Mail

Judge Cercone

Magistrate Judge Eddy

**MEMORANDUM ORDER**

AND NOW, this 1<sup>ST</sup> day of February, 2012, a Complaint having been filed in this Court [ECF No.1], and Defendants having filed a Motion to Dismiss for Lack of Personal Jurisdiction under Fed. R. Civ. P. 12(b)(2) and/or for Failure to State a Claim pursuant to Fed. R. Civ. P. 12(b)(6) [ECF No. 7], the Magistrate Judge found, as explained in her Report and Recommendation [ECF No.13], that this Court lacks general or specific jurisdiction over the Defendants and that venue is not properly laid in this District. The Magistrate Judge recommended that, in the interest of justice, the Defendants' Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(2) be denied, that the merits of the 12(b)(6) Motion not be considered in the first instance by this Court, because the matter should be transferred to the District Court for the Northern District of Florida, pursuant to the provisions of 28 U.S.C. §1631. Plaintiff states in her Brief in Opposition to the Motion to Dismiss for Lack of Jurisdiction that she is not opposed to the transfer. [ECF No. 12]. Objections to the Magistrate Judge's Report and Recommendation were due on January 27, 2012, and none were filed.

Upon independent review of the record, including the Magistrate Judge's Report and Recommendation [ECF No. 13], which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Defendants' Motion to Dismiss for Lack of Jurisdiction [ECF No. 7] is DENIED. It is further ORDERED that the Clerk of this Court transfer this matter FORTHWITH to the District Court for the Northern District of Florida, and thereafter mark this case closed in the Western District of Pennsylvania.



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David Stewart Cercone  
United States District Judge

cc: Neal A. Sanders, Esquire  
David B. White, Esquire  
Stephanie L. Solomon, Esquire

*(Via CM/ECF Electronic Mail)*